



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER OF  
PATENTS AND TRADEMARKS  
Washington, D.C. 20231

Ronald C. Fedus  
Enzo Diagnostics, Inc.  
c/o Enzo Biochem, Inc.  
575 Fifth Avenue (18th Floor)  
New York, NY 10017

**COPY MAILED**

**FEB 13 1996**

**ON DECISIONS  
AND PETITIONS**

In re Application of  
Robert G. Pergolizzi et al. :  
Application No. 08/479,995 : DECISION GRANTING  
Filed: June 7, 1995 : PETITION  
Attorney Docket No. ENZ-11(D1)(C2) :

This is a decision on the petition filed September 1, 1995, requesting that the above-identified application be accorded a filing date of June 7, 1995. Receipt is also acknowledged of the request for expedited consideration of the petition filed on December 5, 1995.

The application was deposited on June 7, 1995, as a continuation application under 37 CFR 1.60. However, on August 15, 1995, Application Processing Division mailed a notice requiring a copy of Figure 2 as filed in the prior application and stating that the filing date would be the date of receipt of the omitted drawing.

In response, on September 1, 1995, a copy of Figure 2 and the present petition were filed. Petitioners request that the delay in supplying the copy of Figure 2 be excused.

On petition under 37 CFR 1.60(b), the delay will be excused. The petition is granted.

The application is being returned to Application Processing Division for further processing under 37 CFR 1.60 with a filing

date of June 7, 1995, using the copy of Figure 2 supplied on September 1, 1995.

A handwritten signature in cursive script, appearing to read "John F. Gonzales".

John F. Gonzales  
Senior Legal Advisor  
Special Program Law Office  
Office of the Deputy Assistant Commissioner  
for Patent Policy and Projects  
(703) 305-9282

JFG